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Superintendent of Education**

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**Eloise R. Sanchez
Associate Superintendent
Curriculum and Instruction Division
E-Rate Project Manager**

CC Docket No. 02-6

Request for Waiver



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Waiver Request

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Guam Public School System
BEN: 157744

Form 471 Application Numbers: 584922, 586216, 586523, 586490, and 586143
Funding Commitment Decision Letters – Funding Year 2007

Buenas Yan Hafa Adai,

This is to request a waiver of the decision of the Universal Services Administrative Company's (USAC) Administrator's Decision on Appeal – Funding Year 2007-2008 for the above Form 471 applications. The decision states:

“Our records show that your appeal was postmarked more than 60 days after the date your Revised Funding Commitment Decision Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.”

The letter also provided guidelines for appealing to the FCC.

The Guam Public School system has little to no control of when the envelope is postmarked by the United States Postal Service (USPS) when it submits envelopes in the drop box. GPSS submitted the documents to the USPS facility on May 16, 2008.

Furthermore, the USAC website was taken down for maintenance on May 16, 2008. GPSS was not able to file its appeal online to ensure the appeal could be filed electronically in a timely manner should the regular USPS mail fail to postmark the document for May 16, 2008. USAC sent out email notifications on the day of the

website maintenance. Guam is 14 hours ahead of Eastern Daylight Savings Time (EDT). This means GPSS gets the notifications on Saturdays, GPSS non-business days and after the end of its business week. Even if GPSS were to conduct business on Saturdays, it would be after the business day of EDT and it did not have access to the website.

GPSS feels that it was not properly notified of the unavailability of the website. These two events could not be controlled by GPSS. Therefore, GPSS feels this appeal should be entertained and ruled in its favor.

GPSS looks forward to the favorable review of its appeal. We hope the FCC will grant the appeal and let USAC review the original appeal.

Below is the GPSS Contact Information should there be further inquiries:

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Senseramente,



Franklin P. Artero
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FY2007 E-Rate Project